

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: NAVIDEA BIOPHARMACEUTICALS :
LITIGATION : **VERDICT SHEET**
:
-----X **19-CV-1578 (VEC)**

VALERIE CAPRONI, United States District Judge:

PLEASE CHECK (✓) YOUR ANSWERS

All jurors must agree on the answers to all of the questions.
Jurors must answer the questions in the order they are presented.

1. Breach of Contract

Has Dr. Goldberg proved, by a preponderance of the evidence, all three elements of his breach of contract claim?

Yes _____ No X _____

Proceed to Question 2 only if you answered "Yes" to Question 1.

2. Navidea's Defenses

(a) Has Navidea proved, by a preponderance of the evidence, that the parties' agreement included a condition precedent to Navidea's obligation to deliver shares to Dr. Goldberg and that the condition precedent was never satisfied?

Yes _____ No _____

Proceed to Question 2(b) only if you answered "No" to Question 2(a).

(b) Has Navidea proved, by a preponderance of the evidence, that Dr. Goldberg breached the contract before Navidea did?

Yes _____ No _____

Proceed to Question 3 only if you answered "No" to Question 2(b).

3. Damages

What amount of money, if any, will fairly and justly compensate Dr. Goldberg for any breach of contract for which you have found Navidea liable? *If you find that Dr. Goldberg has not proved that there is an amount of money that will fairly and justly compensate him for the breach of contract, then you must enter a nominal or token amount not to exceed \$1.00.*

\$ _____

You are finished. The foreperson should ensure that each juror agrees with the answer to each question. If so, the foreperson should date and sign below and inform the Marshal that you have a verdict.

Dated: December 18, 2024



Foreperson 